



FloorPrep

Legislative Digest

Wednesday, November 10, 1999

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.R. 3073—Fathers Count Act

H.Res. 41—Honoring American Military Women for Their Service in WWII

H.R. 1869—Stalking Prevention and Victim Protection Act

H.R. 2336—United States Marshals Service Improvement Act

H.R. 2442—Wartime Violation of Italian American Civil Liberties Act

H.Con.Res. 122—Recognizing the U.S. Border Patrol's 75 Years of Service

H.R. 3234—Exempting Certain Reports from Automatic Elimination and Sunset

**H.R. 2454—Arctic Tundra Habitat Emergency Conservation Act
(Considering Senate Amendments)**



H.R. 3073—Fathers Count Act

Floor Situation: The House will consider H.R. 3073 as its first order of business today. On Monday, the Rules Committee granted a structured rule that provides 90 minutes of general debate, with one hour equally divided between the chairman and ranking minority member of the Ways & Means Committee, and 30 minutes equally divided between the chairman and ranking minority member of the Education & the Workforce Committee. The rule makes in order a committee amendment in the nature of a substitute as base text, waives all points of order against the bill and its consideration, and self-executes a manager's amendment (*i.e.*, incorporates into the base text of the bill upon passage of the rule). The rule makes in order six amendments, debatable in the order listed and for the amount of time specified below, and waives all points of order against their consideration. The rule permits the chairman of the Committee of the Whole to postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 3073 establishes a grant program to foster responsible fatherhood, marriage, job training, and employment among low-income fathers. The bill is designed to prevent the unfortunate cycle of children being raised in fatherless homes by supporting projects that help fathers meet their responsibilities as husbands, parents, and providers. It aims to promote marriage among parents, help poor and low-income fathers establish positive relationships with their children and the children's mothers, promote responsible parenting, and increase family income by strengthening the father's earning power.

Specifically, the bill authorizes the HHS Secretary to award approximately \$140 million to public and private entities over two years for fatherhood projects. In addition, the bill expands the eligibility for participating in the Welfare-to-Work program for both long-term welfare recipients and non-custodial parents with children on public assistance programs. The measure establishes an alternative penalty procedure for states that fail to meet current law requirements to centralize the coordination and distribution of child support services.

The measure also (1) allows the Education Department to use data collected by the HHS Department to locate students who default on government-backed student loans; (2) repeals the \$100 million Welfare-to-Work bonus for states that perform exceptionally in reducing their welfare caseloads; (3) extends the authorization for the HHS Secretary to spend funds on evaluating the Abstinence Education Program through FY 2005; (4) authorizes an additional \$19.3 million over the FY 2000-2003 period for the Census Bureau to evaluate the effects the 1996 welfare reform law; (5) allows states to use funds from foster care and adoption programs to train judges and other court personnel on expediting adoption proceedings and how to manage child abuse and neglect cases; (6) allows states to use information from the national database of new hires to help detect fraud in the unemployment compensation system; and (7) makes a number changes to the Immigration and Nationality Act regarding visa applications for individuals who fail to pay child support.

The rule self-executes a technical manager's amendment to clarify certain family planning language. A CBO cost estimate of the substitute was unavailable at press time. The bill was introduced by Mr. Johnson (CT) *et al.* and was reported by the Ways & Means Committee by a voice vote on October 21, 1999. The Education & the Workforce Committee reported H.R. 3172 by voice vote on November 3, 1999. On November 4, Mrs. Johnson (CT) filed a substitute to H.R. 3073 that includes the Welfare-to-Work provisions of H.R. 3172.

Views: The Republican leadership supports passage of the bill. An unofficial Clinton Administration viewpoint was unavailable at press time.

Amendments: As stated above, the rule makes in order six amendments, debatable in the order listed and for the amount of time specified below.

Ms. Mink will offer an amendment, debatable for 20 minutes, to strike Title I of the bill (which establishes the fatherhood grant programs) and replace it with a similar grant program for "parents" instead of fathers. In addition, the "Parents Count" grant program outlined in the amendment (1) gives preference to applicants that consult with domestic violence prevention and intervention organizations in developing and implementing the project; and (2) eliminates the provision that allows grants to be distributed to faith-based institutions to deliver the services outlined in the measure. *Staff Contact: Brian Branton, x5-4906*

Mr. English will offer an amendment, debatable for 10 minutes, to require that individuals nominated for both review panels (which make recommendations for grants) have experience in fatherhood programs, programs for the poor, programs designed to help children, program administration, or program research. The amendment also outlines an additional preference (in addition to those already in the bill) for projects that encourage payment of child support by helping fathers arrange and maintain consistent schedule of visitation with their children. *Staff Contact: Laura Eugster, x5-5406*

Ms. Mink will offer an amendment, debatable for 10 minutes, to strike Title II of the bill, which includes provisions that (1) authorize the HHS Secretary to award a \$5 million grant over the FY 2002-2005 period to a nationally recognized nonprofit organization to establish an information clearinghouse about fatherhood programs; and (2) authorize the HHS Secretary to award a \$5 million grant over the FY 2002-2005 period to two nationally recognized nonprofit fatherhood promotion organizations that have several years of experience in designing and conducting fatherhood programs. *Staff Contact: Brian Branton, x5-4906*

Mr. Cardin will offer an amendment, debatable for 10 minutes, to allow custodial parents to participate in the Welfare-to-Work program if they have incomes below the poverty level and do not receive assistance under the Temporary Assistance for Needy Families (TANF) program. *Staff Contact: Nick Gwyn, x5-4021*

Mr. Traficant will offer an amendment, debatable for 10 minutes, to require entities that conduct fatherhood projects to provide education on alcohol, tobacco, and other drugs as well as the effect of abusing such substances, and information about HIV/AIDS and its transmission. *Staff Contact: DeVonne Richburg, x5-5261*

Mr. Edwards will offer an amendment, debatable for 20 minutes, to eliminate the provision in the bill that allows fatherhood grants to be distributed to faith-based institutions to deliver the services outlined in the measure. The bill applies the charitable choice provision of the 1996 welfare reform law (*P.L. 104-193*) to the fatherhood grants, therefore allowing states to contract with religious organizations to deliver services so long as they do not discriminate against beneficiaries on the basis of religious belief or refusal to participate in a religious practice. *Staff Contact: Faith Martin-Moor, x5-6105*

Additional Information: See *Legislative Digest*, Vol. XXVIII, #33, November 5, 1999.



Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following seven measures under suspension of the rules after it completes consideration of H.R. 3073. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.Res. 41 honors the women who served the United States in military capacities during World War II. It commends these women who, through sense of duty and willingness to defy stereotypes and political pressures, performed military assignments so that men could be freed for combat duties. Additionally, it recognizes that these women, by serving with diligence and merit, not only opened up opportunities for

women that had been reserved for men, but also contributed vitally to the victory of the United States and the Allies in World War II. Despite social stigmas and public opinion averse to women in uniform, women enrolled in the military in such numbers that enrollment ceilings were reached within the first few years. Women volunteered for all branches of the service and their duties ranged from pilots ferrying bombers across the Atlantic to nurses stationed in the South Pacific to shoreline Coast Guard personnel. By the end of the war, more than 400,000 women had served the United States in military capacities. These women, despite their merit and the recognized value and importance of their contributions to the war effort, were not given status equal to their male counterparts and struggled for years to receive the appreciation of the Congress and the people of the United States. The resolution was introduced by Ms. Myrick and was not considered by a committee.

H.R. 1869—Stalking Prevention and Victim Protection Act amends federal criminal code to broaden the definition of stalking to include those who use the mail, telephone, or Internet to stalk their victims, in order to enable federal prosecutors to take action against stalkers who do not cross states lines. The bill requires courts, at the time of sentencing, to issue an appropriate protection order designed to protect the victim from further stalking by the convicted individual. Moreover, the measure authorizes courts to decide when to end the order. Finally, the bill directs the U.S. Sentencing Commission to modify sentencing guidelines to provide an appropriate sentence enhancement for a defendant convicted of stalking his previous victim or a member of the victim's family. The bill was introduced by Ms. Kelly and was reported by the Judiciary Committee by voice vote on November 2, 1999.

H.R. 2336—United States Marshals Service Improvement Act amends U.S. Code to change the selection process for United States Marshals. Currently, the president appoints U.S. Marshals by with the advice and consent of the Senate. The measure empowers the Attorney General, instead of the president, to appoint U.S. Marshals. They will be selected on a competitive basis from among the career managers within the Marshals Service and other federal law enforcement agencies. Incumbent U.S. Marshals, selected before enactment of the measure, will continue to perform the duties of their office until their terms expire and successors are appointed. Marshals selected between enactment and December 31, 2001, will still be appointed by the president with the advice and consent of the Senate. They will serve a four-year term, unless they resign or are removed by the president. The committee asserts that currently there are no criteria for selecting U.S. Marshals and that, consequently, unqualified individuals are being hired. Furthermore, the committee notes, the Marshals Service is not held accountable for fiscal irresponsibility. CBO estimates that enactment will have no significant impact on the federal budget. The bill was introduced by Mr. McCollum and was reported by the Judiciary Committee by voice vote on July 20, 1999.

H.R. 2442—Wartime Violation of Italian American Civil Liberties Act directs the Inspector General of the Justice Department to conduct a comprehensive review of the treatment of Italian Americans during World War II and to report his findings to Congress. The report must include information regarding (1) Italian-Americans who were taken into custody or ordered to move out of designated areas, or arrested for curfew, contraband, or other violations; (2) FBI raids on Italian-Americans' homes; (3) restrictions on Italian-American fishermen and railroad workers; and (4) civil liberties infringements suffered by Italian-Americans during World War II as a result of Executive Order 9066 (President Franklin Roosevelt's order which led to the establishment of internment camps and the forced evacuation of people of Japanese ancestry). Furthermore, the bill requires the president, on behalf of the federal government, to formally acknowledge that these events during World War II represented a fundamental injustice against Italian-Americans. The bill was introduced by Mr. Lazio and was not considered by a House committee.

H.Con.Res. 122—Recognizing the U.S. Border Patrol’s 75 Years of Service expresses the sense of Congress recognizing the historical significance of the United States Border Patrol’s founding and its 75 years of service to the nation. The Border Patrol was established in 1924 within the Bureau of Immigration. The present force includes over 8,000 agents, located in 146 stations under 21 sectors, and is responsible for protecting more than 8,000 miles of international land and water boundaries. It is the primary agency responsible for drug interdiction between ports of entry. The resolution was introduced by Mr. Reyes and was not considered by a House committee.

H.R. 3234—Exempting Certain Reports from Automatic Elimination and Sunset requires certain federal agencies to continue submitting approximately 50 reports. The 1995 Federal Reports Elimination and Sunset Act (*P.L. 104-66*) eliminated more than 200 congressionally-mandated reports on a variety of topics. It also terminates—on December 31, 1999—certain other annual, semi-annual, and other periodic reporting requirements. Among the reports slated for elimination are those related to the 1965 Higher Education Act, case activities of the National Labor Relations Board, and the Head Start program. The Education & the Workforce Committee argues that the bill appropriately continues many reports that are critical to congressional oversight and government accountability. The bill was introduced by Mr. Goodling and was not considered by a House committee.

H.R. 2454—Arctic Tundra Habitat Emergency Conservation Act (Considering Senate Amendments) codifies two U.S. Fish and Wildlife Service regulations concerning the use of hunting to reduce the population of mid-continent light geese. The regulations will remain effective until May 15, 2001, or until other regulations are issued. The first rule allows an individual to use an unplugged shotgun and an electronic caller to hunt light geese during a normal hunting season when all other waterfowl and crane hunting seasons are closed. The second regulation authorizes certain states to take actions to harvest mid-continent light geese outside of the regular hunting framework. The Senate amendment requires the Interior Secretary to implement a plan to manage the mid-continent light geese population and to conserve their habitat. The bill authorizes \$1 million for each FYs 2000-2002 for this purpose. This plan must (1) describe methods for monitoring the geese population; (2) recommend actions for managing the population; (3) assess the breeding habitats of the geese; (4) assess the conservation of native wildlife species adversely affected by an overwhelming amount the geese in an area; and (5) recommend ways to promote these initiatives with the governments of Canada and other interested agencies and governments. The House passed H.R. 2454 under suspension of the rules by a vote of 424-0 on June 29. The Senate amended the bill and passed it by unanimous consent on November 8.



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